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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 Antolin Andrews,

12 Plaintiff,

No. CIV S-01-0883 FCD PAN P

13 vs.

14 Mellie A. Briggs, et al.,

15 Defendants.

ORDER

16 \_\_\_\_\_/  
17 Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking  
18 relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge  
19 pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

20 On July 22, 2005, the magistrate judge filed findings and recommendations herein  
21 which were served on all parties and which contained notice to all parties that any objections to  
22 the findings and recommendations were to be filed within twenty days. Plaintiff has filed  
23 objections to the findings and recommendations.

24 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 72-  
25 304, this court has conducted a de novo review of this case. Having carefully reviewed the entire  
26 file, the court finds the findings and recommendations to be supported by the record and by proper

1 analysis.

2 Accordingly, IT IS HEREBY ORDERED that:

3 1. The findings and recommendations filed July 22, 2005, are adopted in full; and

4 2. Plaintiff's December 6, 2004, motion for summary judgment is denied and  
5 defendants' May 3, 2005, cross-motion for summary judgment is granted.

6 DATED: August 25, 2005

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8 /s/ Frank C. Damrell Jr.  
9 FRANK C. DAMRELL JR.  
United States District Judge